

not to sue under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606-9607.

Sampling shows that the entire Site is now cleaned to residential levels.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States versus ANRFS Holdings, Inc., et al*, DOJ Ref. #90-11-2-47B.

The proposed consent decree may be examined at the office of the United States Attorney, District of Idaho, P.O. Box 32, Boise, Idaho, 83707, (208) 334-1211; the Region X Office of the Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington, 98101, (206) 553-1796; and at the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005. In requesting a copy of the Decree, *with all attachments*, please refer to the referenced case and enclose a check in the amount of \$41.25 (25 cents per page reproduction costs), payable to the Consent Decree Library. In requesting a copy of the Decree *without the attachments*, please enclose a check in the amount of \$6.75.

Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 98-30422 Filed 11-12-98; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

On October 29, 1998, the United States lodged a proposed consent decree in the case of *United States v. Campbell Soup Co. and Silgan Can Co.*, Civil Action No. S-95-1854 (E.D. Cal.), with the United States District Court for the Eastern District of California.

The proposed consent decree resolves claims that the United States asserted against Campbell Soup Company and Silgan Can Company in a civil lawsuit first filed on October 6, 1995. The complaint in this case alleges that Campbell constructed or modified and then operated can manufacturing equipment at its facility located at 6200 Franklin Blvd. in Sacramento,

California, without complying with the Clean Air Act, the state implementation plan, or with permits issued by the Sacramento Metropolitan Air Quality Management District. Coatings and other compounds used in the can manufacturing process emit Volatile Organic Compounds ("VOCs") into the atmosphere, which creates ground level ozone and smog. Among other things, the United States' lawsuit alleges that Campbell operated without permits, failed to limit VOC emissions with Best Available Control Technology ("BACT"), and failed to provide offsets for the VOC emissions from its modified machinery.

On June 2, 1998, Silgan took over operation of the can manufacturing facility from Campbell, and our complaint alleges that Silgan operated and is operating the facility with many of the same violations committed by Campbell. Campbell and Silgan have informed the United States that they intend to replace the equipment at issue in our complaint with a new can manufacturing line that incorporates BACT, resulting in the permanent shutdown of the machinery at issue in our lawsuit by August 1, 2000.

The proposed Consent Decree requires Campbell to pay a civil penalty of \$1,215,000, requires Defendants to cease operating all sources of VOC emissions at the three-piece can facility by August 1, 2000, requires Defendants to limit VOC emissions from the facility prior to August 1, 2000, and requires Defendants to transfer Emission Reduction Credits to Environmental Resources Trust, a non-profit organization.

The Department of Justice will accept comments relating to this Consent Decree for a period of thirty (30) days from the date of this publication. See 28 CFR 50.7. Address your comments to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and send a copy to Environmental Enforcement Section, U.S. Department of Justice, 301 Howard Street, Suite 870, San Francisco, CA 94105. Your comments should refer to *U.S. v. Campbell Soup Co. and Silgan Can Co.*, Civil No. S-95-1854 (E.D. Cal.), and DOJ No. 90-5-2-1-1971.

You may examine the proposed consent decree at the office of the United States Attorney, Eastern District of California, 555 Capitol Mall, Suite 1550, Sacramento, California 95814; or at the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005. You may also obtain a copy of the consent decree in person or by mail from the Consent Decree Library. Your

request for a copy of the consent decree in *U.S. v. Campbell Soup Co. and Silgan Can Co.* should refer to that case title, Civil No. S-95-1854 (E.D. Cal.), and DOJ No. 90-5-2-1-1971, and must include a check for \$5.50 (25 cents per page reproduction cost) payable to the "Consent Decree Library."

Joel Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

On October 23, 1998, the United States lodged a proposed consent decree in the case of *United States v. Guam Power Authority*, Civil Action No. 97-00030 (D. Guam), with the United States District Court for the Territory of Guam.

The proposed consent decree resolves claims that the United States asserted against Guam Power Authority ("GPA") in a civil complaint filed on April 29, 1997. The filed complaint alleges that GPA failed to burn low-sulfur fuel-oil at its Cabras-Piti area electricity generating plants when required, submitted late reports to EPA, and violated other monitoring and reporting requirements contained in a waiver that EPA issued to GPA under section 325 of the Clean Air Act, 42 U.S.C. 7425-1.

The proposed Consent Decree requires GPA to comply with the waiver requirements, to pay a civil penalty of \$170,000, and to spend at least \$800,000 on a Supplemental Environmental Project that will automate GPA's fuel-switching operations and reduce sulfur emissions from GPA's Cabrias-Piti plants.

The Department of Justice will accept comments relating to this Consent Decree for a period of thirty (30) days from the date of this publication. See 28 C.F.R. 50.7. Address your comments to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and send a copy to Environmental Enforcement Section, U.S. Department of Justice, 301 Howard Street, Suite 870, San Francisco, CA 94105. Your comments should refer to *U.S. v. Guam Power Authority*, Civil No. 97-00030 (D. Guam), and DOJ No. 90-5-2-1-2060.

You may examine the proposed consent decree at the office of the United States Attorney, Territory of Guam, Suite 502-A, Pacific News Bldg., 238 Archbishop Flores Street, Agaña,